

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF TENNESSEE  
AT KNOXVILLE

MILLWORKS CONSTRUCTION, LLC,	)	
	)	
Plaintiff,	)	
	)	No. 3:12-CV-177
v.	)	(VARLAN/GUYTON)
	)	
ENVIRONMENTAL, SAFETY & HEALTH, INC.,	)	
	)	
Defendant.	)	

**MEMORANDUM AND ORDER**

This case is before the undersigned pursuant to 28 U.S.C. § 636, the Rules of this Court, and Standing Order 13-02.

On July 8, 2013, the Court entered a Memorandum and Order [Doc. 19], granting a Motion to Compel filed by the Defendant. The Court ordered, *inter alia*: “Plaintiff is **ORDERED** to show cause in writing on or before **July 19, 2013**, as to why the Court should not award the Defendant the fees and costs it incurred in filing this motion.” [Doc. 19 at 3 (emphasis in the original)].

The Plaintiff failed to file any document purporting to demonstrate why the Court should not award fees and expenses, and the time for doing so has expired. The Court finds that it is, therefore, appropriate to award the Defendant reasonable attorneys’ fees and expenses incurred in filing the Motion to Compel [Doc. 16]. The Defendant **SHALL FILE** a statement of fees and expenses incurred in filing the Motion to Compel, along appropriate supporting documents or sworn statements, on or before **August 9, 2013**. The Plaintiff may file any objection to the *reasonableness* of the fees and expenses requested on or before **August 23, 2013**.

Thereafter, the undersigned will award Defendant reasonable compensation for the fees and expenses incurred in filing the Motion to Compel.

**IT IS SO ORDERED.**

ENTER:

s/ H. Bruce Guyton  
United States Magistrate Judge